

REMARKS

The Office Action mailed November 4, 2005 has been received and reviewed. Claims 1-26 are pending in the application. Claim 16 is withdrawn from consideration. Claims 5, 6, and 12-15 stand rejected under 35 U.S.C. §112 ¶1 as failing to comply with the enablement requirement. Claims 1, 2, 7, 8, 11, 17-20 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,056,219 to Hine, Jr. Claims 9, 10, 21, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hine, Jr. Claims 3, 4, 24, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hine, Jr. in view of German Patent 10202530 to Braun or U.S. Patent 4,096,978 to Noice.

REJECTIONS UNDER 35 U.S.C. §112

Claims 5, 6, and 12-15 stand rejected under 35 U.S.C. §112 ¶1 as failing to comply with the enablement requirement. In particular, it is asserted that the specification does not disclose a bag comprising a down tube strap attached in proximity to the stem strap. These elements are illustrated in Figure 7. The portion of the specification corresponding to Figure 7 reads as follows: "An additional strap 77 is placed on the bottom of the bag 60 to advantageously allow mounting of the bag 60 on the main triangle of the bike frame. The handlebar straps 71 encircle the top tube 95 of the bicycle frame. The additional strap 77 encircles the down tube 97 to hold the bag 60 securely between the tubes." p. 9, lns. 11-16.

The examiner further asserts that the specification does not disclose second right bar and second left bar straps attached to a side panel. These elements are illustrated in Figure 2 and the corresponding portion of the specification. It is apparent in Figure 2 that straps 21 secure to a side panel whereas straps 23 secure to a different panel. The portion of the specification corresponding to Figure 2 reads as follows: "One of the pair of upper handlebar straps 21 are

visible. Also visible are the pair of lower handlebar straps 23, used as an alternative to the upper handlebar straps 21.” p. 7, lns. 9-11.

REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 1, 2, 7, 8, 11, 17-20 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hine, Jr. Applicant respectfully asserts that a *prima facie* case of obviousness has not been established. In order to establish anticipation, each and every element of the claimed invention must be found in a single reference.

With respect to claim 1, Applicant asserts that none of the references recite a carrier bag for attachment to the handlebars of a bicycle, the carrier bag comprising a suspension panel, the suspension panel having a first axis and a second axis, the second axis being substantially perpendicular to the first axis and intersecting the first axis at an intersection point to define a right segment of the first axis and a left segment of the first axis, and to define a forward segment of the second axis and an after segment of the second axis; a right bar strap, the right bar strap being attached to the suspension panel on the right segment, the right bar strap being configured for attachment to a bar cylinder; a left bar strap, the left bar strap being attached to the suspension panel on the left segment, the left bar strap being configured for attachment to the bar cylinder; and a stem strap, the stem strap being attached to the suspension panel on the after segment and configured for attachment to a stem cylinder.

Hine, Jr. and Braun fail to teach a down tube strap attached proximate a stem strap. Hine, Jr. teaches no strap whatsoever securing a pack to a bicycle. Hine, Jr teaches a frame 16 securing a pack to the handlebars and steerer tube of a bicycle. Abstract; Figure 2. The apparatus of Hine, Jr. does not teach any structure for securing to the down tube of a bicycle. Braun teaches only straps securing an insulated bag to the handle bar and steerer tube of a bicycle. Claim 12 (“An insulating bag characterized by a rear wall having retaining straps provided with fasteners secured thereto for fastening to bicycle handlebars and to a steerer tube

extending perpendicular thereto.”). There is no strap secured proximate the steerer tube strap of Braun such as might secure to a stem or a down tube.

Claims 2, 7, 8, and 11 are dependent on claim 1 and are therefore allowable for at least the reasons discussed hereinabove. With respect to claim 17, Applicant asserts that none of the cited references disclose a method for securing a load adjacent a junction formed by handlebars of a bicycle and a stem of the bicycle, the stem extending substantially horizontally, the method comprising: placing the load adjacent and above the junction, the junction including an intersection point, the intersection point being where the stem encircles and bisects the handlebar to define a right segment and a left segment, the right segment, the left segment, and the stem defining a substantially planar surface; attachably affixing the load to the right segment at a right bar strap point, the right bar strap point spaced apart from the intersection point; attachably affixing the load to the left segment at a left bar strap point, the left bar strap point spaced apart from the intersection point; and attachably affixing the load to the stem at a stem strap point, the stem strap point spaced apart from the intersection point.

As noted above, neither Hine, Jr. nor Braun teach or suggest securing a pouch to handlebars and a stem by means of straps. Hine, Jr. teaches only a rigid frame whereas Braun secures only to the handlebars and steerer tube of the bicycle. Hine, Jr. and Braun also fail to disclose positioning a load above the junction of handlebars with a stem. Both Hine, Jr. and Braun disclose pouches positioned well in front of the handlebars. Braun teaches positioning a bag such that straps positioned on the rear wall of the bag can secure to the handlebars and steerer tube of the bicycle. Claim 12. It is apparent in Figure 1 of Hine, Jr. that the bag is suspended a substantial distance in front of the intersection of the handlebars with the stem.

Positioning the bag over the intersection of the handlebars with the stem is important inasmuch as it allows better visibility of the front wheel of the bicycle. As discussed in the specification, riders typically need to view the front wheel for trueness and proper inflation. p. 2, lns. 21-23.

Claims 18-20 and 23 are dependent on allowable claim 17 and are therefore allowable for at least the reasons discussed hereinabove.

REJECTIONS UNDER 35 U.S.C. §103

Claims 9, 10, 21, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hine, Jr. Claims 3, 4, 24, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hine, Jr. in view of Braun or Noice. Applicant respectfully asserts that a *prima facie* case of obviousness has not been established. In order to establish obviousness, each and every claim limitation must be found in two or more prior-art references and there must be some teaching or suggestion in the prior art to combine the references to achieve the claimed invention.

As noted above, Hine, Jr. and Braun whether alone or in combination fail to teach or suggest all of the limitations of independent claims 1 and 17. Accordingly, a *prima facie* case of obviousness has not been established. Hine, Jr. and Braun both teach securement of a bag in front of the handlebars of a bicycle. They provide no teaching or suggestion to do otherwise.

CONCLUSION

For the foregoing reasons, applicant respectfully requests reconsideration and withdrawal of the rejections of the claims. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to call the undersigned at his convenience.

Respectfully submitted,

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March 14, 2006
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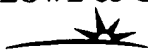
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